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Board Revokes License of Napa Psychologist, Orders Him to Pay \$48,500 for Cost of Investigation

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OAKLAND – In a decision effective today, the California Board of Psychology has adopted an Administrative Law Judge's order to revoke the professional license of Napa psychologist Frank J. Lucchetti, Ed. D., for illegally dispensing or prescribing prescription drugs to two patients.

The action means Lucchetti can no longer legally practice psychology in California. It follows a Board of Psychology investigation into complaints of misconduct against the psychologist.

Lucchetti, who was first licensed as a psychologist in 1994, was also ordered to pay more than \$48,500 to cover costs incurred by the board and the California Attorney General's Office for investigating and prosecuting the case. The judge ruled that Lucchetti had committed several violations of the Business and Professions Code, including: unprofessional conduct; gross negligence; commission of a dishonest, corrupt or fraudulent act; and functioning outside one's field of competence.

According to testimony in the case, Lucchetti gave samples of prescription medications, an antidepressant and a sedative, to one patient in 2000, and altered a doctor's prescription for another patient in 2002 to change the prescription to a greater quantity of another antidepressant prescription drug. The patients revealed these alleged unprofessional actions to their physicians, who reported the information to the Board of Psychology.

Lucchetti denied the charges. In a "request for stay" filed recently in Sacramento County Superior Court, Lucchetti asked that the revocation of his license be delayed so he could continue practicing while the court considers his related appeal of the Board of Psychology's decision. In an order issued yesterday, the court denied the "request for stay." A hearing on the appeal is scheduled for July 30.

Although psychologists are allowed to discuss medications with patients, California law prohibits a psychologist from dispensing or prescribing medications. Nor is a psychologist permitted to provide samples of prescription drugs. Only physicians or other individuals appropriately licensed by the state can dispense or prescribe prescription medications.

The case was heard in the Oakland regional office of the California Office of Administrative Hearings (OAH). OAH is a quasi-judicial tribunal that rules on administrative disputes, including cases against licensed professionals charged with misconduct.

Consumers can learn more about their rights and the laws governing psychological services by visiting the Board's Web site at www.psychboard.ca.gov. Consumers can check the status of a psychologist's license or file a complaint at the Web site or by calling the Board of Psychology toll-free at 1-866-503-3221.

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